

# Political Science

Date \_\_\_\_\_

## Question no. (2)

### Introduction :-

Treaty of Westphalia led the foundation of Modern state and separated politics and religion from each other. However, the concept that was borrowed was similar to that of Machiavelli's theory of Power Politics. Similarly, all the foundations of knowledge of the current world have been made on the basis of contributions of the Greeks. The concept of Aristotle about state and governance contributed to the concept of political science which made him the father of political science. He gave features of state that are still relevant to today's time. Thus, Aristotle has rightly been credited to be the central figure of political science history.

## Aristotle : the father of Political Science

Aristotle was a political theorist and polymath belonging to the classical era. He along with his teacher became the central figure of political theory and covered wide range of disciplines such as political science, philosophy, astronomy, mathematics and medicine. Unlike his teacher Plato who was an idealist, Plato's student Aristotle was a realist and came to be known as father of political science.

Aristotle was influenced by two important factors of his society:

(a) Disunity among the city-states of Greece

(b) Each city-state had its own organizational unit.

## Concept of State and Governance by Aristotle :-

Aristotle like Plato has contributed to the concept of state and governance. Following are the features of Aristotle's state :

### (1) Population :-

The first feature of Aristotle's concept of state is population which is also the chief feature of the present concept of state. According to Aristotle, state must have a small population ranging from 10,000 to 150,000 people. State should not be large in terms of population because it would be difficult to enforce laws and all the people would not be able to gather at a same place to discuss the functioning and administration of state. However, this feature slightly contradicts to the present times as today's states have large number of population but small states like Luxembourg also exist.

### (2) Territory :-

The second feature of the concept of state is that it should have definite territory under which sovereignty of the state can be exercised. For Aristotle, the territory of state should neither be large to not to gather together and oversee the administration of state nor too small that it becomes difficult for people

to defend the state. This feature is present in modern times state

### (3) Demography :-

Another important feature of the concept of state is demography that the location of state should never be landlocked, but near to the sea to facilitate the trade and economy of the state. But, it should not be that much near to the sea that it becomes vulnerable to the attacks which would restrict navy to the protection and make them unable to participate in the administration of the state.

### (4) Education :-

Aristotle like Plato places huge importance to the acquisition of knowledge. Education enlightens man and makes him connected to the reasons of reality. However, Aristotle said that only men have right to education and women do not have critical faculties to acquire knowledge. This feature of state contradicts to the current state concept as right to education is the fundamental right of all individuals be it man or a woman.

### (5) Division of Society :-

Aristotle like Plato also divided state, but he divided state into two classifications. According to him, there are two kinds of people in the state: the citizens and the slaves. He upheld slavery and said that some people are born rulers while others are born to be ruled. Agriculture, arts and crafts are the responsibilities of a slave whereas defense, administration of state and religious affairs are the responsibilities of

the citizens. The young citizens would defend the state whereas middle age people would run the administration of state and older people who are experienced would handle the religious affairs of the state. This feature of state is also not implemented in the modern world. It was implemented until the slavery was practiced, but now this feature is abolished.

## (6) Concept of Communism :-

Plato strictly applied the communism of property and family to the classes of rulers and soldiers. Aristotle deviated from this and said that it is against the very nature of human beings to deprive them from the right of property and family. Aristotle gave the concept of land reforms. He said that property should be equally distributed in the masses. The concept of communism to some extent is present in the modern state system.

## (7) Rule of Law :-

The last important feature of the concept of state and governance by Aristotle is that there should be a rule of law where all people are equally responsible before the law. He did not absolute rule to the ruler and this feature is the chief feature of today's concept of state. Rule of law is eminent in states like USA, UK, Switzerland, Japan and many more.

## Conclusion :-

The concept of Aristotle about state and governance contributed to the concept of political science which made him the father of political science. He gave multiple features of state including population, territory, demography, rule of law, concept of communism and importance of education that are still relevant to the today's concept of state. Therefore, it is imperative to say that Aristotle is rightly called the father of political science.

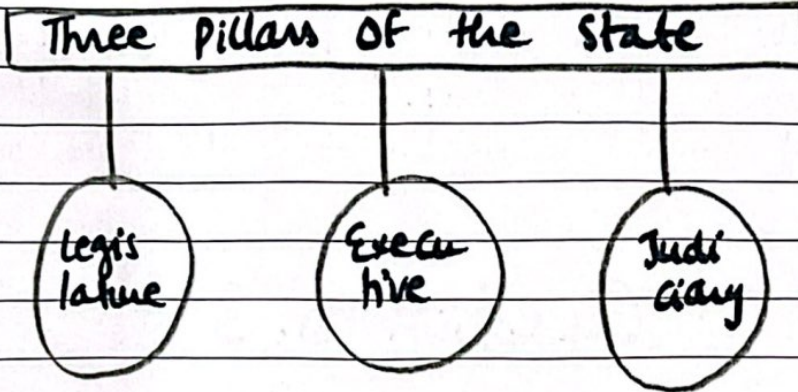
## Question no. 3

### Introduction :-

Judiciary is the third tier of the state and one of the most important pillars for the proper functioning of state. Judiciary has the functions of protection of basic fundamental rights and interpretation of constitution and that gives judiciary the power of judicial review. However, it has debated that the power of judicial review has sidelined the mandate and sovereignty of parliament. Therefore, the pros and cons of judicial review must be analyzed to deduce the implications of judicial review.

# Judiciary As the Important Pillar Of the State :-

There are three pillars of the state which ensure the proper functioning and administration of the state.



Judiciary is the third important pillar of the state and plays an important role in the functioning of state and it is said that to understand the power of democracy in a state; the power of judiciary must be analyzed. If the judiciary is powerful, then the democracy in that state is also strong and powerful and also independent.

## Functions of the Judiciary :-

Following

are the functions of the judiciary in a state :-

### (1) Interpretation of Law :-

One of the most

important functions of judiciary is the interpretation of law and protection the state from any action outside the jurisdiction of law. Such decisions later set the precedents for the upcoming decisions of the state.

## (2) Protection of Basic Fundamental

### Rights :-

Another most important feature or function of judiciary in any state is the protection of basic fundamental rights of the people. Judiciary has the power to declare any law null and void if it violates the basic right of an individual.

## (3) No Constitutional Violation by Legislature and Executive Enurance :-

Judiciary keeps a check in the powers of both executive and legislature to ensure that no law or any ordinance is passed by executive that either violates the constitutional mandate or basic fundamental rights of people.

## (4) Power of Judicial Review :-

In a federal state, the judiciary has the power to declare the acts and statutes of the central or provincial legislature and executive orders ultra vires or unconstitutional if they are outside their jurisdiction or powers as defined by the constitution. The constitution of such federal states as the Pakistan, USA, India have conferred the power of judicial review on their high and supreme courts.

# Positive Aspects Of Judicial Review

Judicial review is the power constitutionally vested to the judiciary. However, recently the debate has erupted that judiciary takes judicial review at the expense of the sovereignty of parliament.

Following are the positive aspects of Judiciary's power of judicial review :-

## (1) Judicial review ensures the protection of the People's Rights

The most important feature of judicial review is that it has given the power to judiciary to keep a check and balance over the power of executive and legislature so that there is no anarchy and prevent them from being despots. Judicial review ensure the protection of the basic fundamental rights of people.

## (2) Judicial review prevents the violation of Constitution :-

Another positive aspect of judicial review is that it keep checks on executive order and central or provincial legislature to ensure that no law is passed that is against their jurisdiction of power and violates the very essence of constitution.



## Negative Aspects of Judicial Review:

Following are the negative aspects of Judicial review :-

### (1) Judicial Review is a non-democratic power :-

One of the sharp criticisms on judicial review power of judiciary is that it is non-democratic of judiciary to take the powers of elected congress / parliament and executive. There are selected judges who do not have the public vote and mandate yet they declare the laws of executive and legislature and judge them to declare whether it should be implemented or declared null and void.

In USA, judicial review is taken to the extent that it is mocked to be called as "the third chamber of Congress". It reviews on laws and ordinances are sometimes criticized to interfere in the domains of executive and legislature.

### (2) Fault in the Decision-making of Judges :-

Another criticism on the power of judiciary to have judicial review is that there is a fault in the decision making process of the judges. To illustrate, there are total 9 judges in the supreme Court of USA. There is 1

judge additionally who drives the decision and law of 535 congressmen. Thus, the decision taken by judiciary might not be credible to rival the law taken and upheld by 535 congressmen.

### Conclusion :-

Despite the fact that judiciary is sharply criticized to rule over the power of executive and legislature, the power of judicial review has always protected the state from tyranny and anarchy. It does not let executive and legislature to become despots in their arenas because of separation of power. The power of judicial review has supported federal states like USA, Pakistan and India in a long term and never let any pillar of state to become dictator. Therefore, the power of judicial review must remain intact.

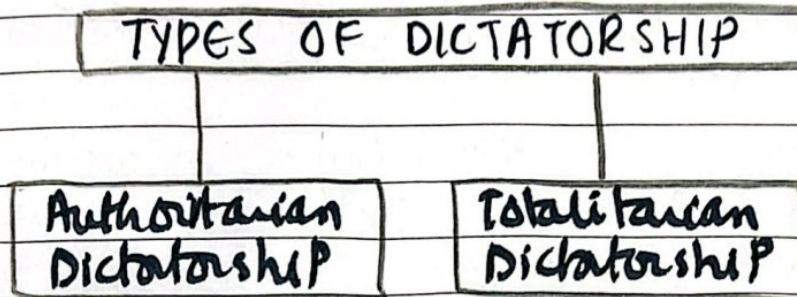
### Question no. 7

#### Introduction :-

The fascism is the form of government generally considered to be a facet of totalitarianism although with majority of the support of the nation's population. Fascism generally blossoms in countries with strong nationalism and democracies. Fascism has principles such as staunch nationalism, right wing ideology, favouring of violence and war, militarism and ruthless dictatorship. Fascism is the born of early 20<sup>th</sup> century with reference of Italy and Germany.

## Types of Dictatorship :-

There are two types of dictatorship which are as following :-



### (1) Authoritarian Dictatorship :-

Authoritarian dictatorship is the one where there is a dictatorship of a dictator who controls the political and economic aspects of the state.

### (2) Totalitarian Dictatorship :-

Totalitarian dictatorship is the one where there is a rule of a dictator who control all aspects of the state and life of the people. Fascism comes under this totalitarian dictatorship.

### Concept of Fascism :-

The consolidation of political and economic power for superiority of single race under single political party and single political leader is known as "Fascism". It is a political system headed by a dictator in which the government controls business and labour and no opposition is permitted. Fascism is generally considered to be a facet of totalitarianism ; although often with majority

support of its population such as fascist rules of Italy and Germany).

## Enabling Conditions For Fascism :-

Following are the basic principles and conditions of fascism and sometimes people do not realize that they are under the rule of a fascist ruler because fascism is often installed and supported by majority of its people without realizing its implications.

### (1) Staunch Nationalism :-

Nationalism is the first and foremost principle of fascism. Fascism holds that a nation remain vulnerable, weak, and enslaved as long as individuals of foreign and inferior races, cultures, and religions coexist with a superior race which constitute the vast majority of the state. Consequently, this coexistence causes cultural and racial conflicts within a nation which ultimately erode a nation's foundation. This leads to the beginning of staunch nationalism and gradually leads to fascist regime of the ruler.

To illustrate, Hitler's fascist rule possesses this staunch nationalism which led to its destruction. In today's time, India's BJP party rule of Narendra Modi and Netanyahu's rule of apartheid state are the current examples of fascist rules.

## (2) Leadership Principle :-

Fascism believes in the leadership of a single charismatic leader, having the absolute and unchallenged authority. For example: Rule of Hitler, Mussolini's rule of fascist regime in Italy, Modi's personality as a charismatic leader of India and Netanyahu in the occupied territories of Palestine.

## (3) Right wing Ideology :-

on the political spectrum, fascism falls on far-right ideology, advocating racial and ethnic purity, limited individual freedom and religious fundamentalism. This can be analyzed through the far right ideology of Hitler, Aryan's race superiority along with BJP ideology of RSS and the concept of Hindutva.

## (4) Ruthless Dictatorship :-

Fascism contains all the elements which give rise to ruthless dictatorship and totalitarian dictatorship: a dictator who controls all aspects of life. For example, the dictator rule of Kim dynasty in North Korea.

## (5) Militarism :-

Fascism advocates military virtues such as bravery, courage, discipline, physical strength, unquestioning obedience, and complete and unconditional submission to authority. For example: the rule and dictatorship of North Korea.

## (6) Favours Violence and War :-

Violence is the fundamental characteristic of fascism. There is a state-sponsored violence in the fascist states and it regards war as inevitable. This can also be observed in the rule of Hitler in Germany, Mussolini in Italy, Kim rule in North Korea and Netanyahu strategies in occupied territories of Palestine.

## (7) Opposition to Marxism :-

Marxism talks about classless society. Fascism strongly opposes Marxism and maintain class system. Benito Mussolini, the fascist ruler of Italy said,

"We defend the hierarchy of classes. Everyone knows that there will always be different social levels; the strong and the weak, rich and the poor, the governing and the governed." (Benito Mussolini)

## (8) Opposition to Parliament Democracy :-

Fascism is a strong opponent of democracy. Fascists criticize parliamentary institutions as corrupt, slow-moving, and stupid. Fascists view parliaments as nothing but talking non-stop and incapable of producing anything significant and completely useless in times of crises and urgency. For example, the fascist rule of North Korea strictly criticizes the concept of democracy and same was Benito Mussolini's ideology.

## Conclusion :-

Fascism is the consolidation of political and economic power for the superiority of single race under single political party and a single political rule is called Fascism. It is the totalitarian dictatorship in which a fascist leader controls all aspect of the state as well as life of an individuals. It contains conditions such as strong nationalism, right-wing ideology, militarism, use of force and violence, opposition to democracy to name a few. There are many countries both in Europe and Asia to fall into the gravel of fascism. However, the ideology of fascism is harmful for the peace of the world.

## Question no. 6

### Introduction :-

Out of all the amendments made to the constitution of Pakistan, the 18th amendment passed in 19 April 2010 is actually the most important amendment with the far-reaching consequences. It restored the parliamentary character of the constitution, redefined the parliament-judiciary relationship and the most importantly, it devolved several important functions to the provincial governments of Pakistan and altered the structure of existing federation of Pakistan once and for all.

## Turbulent History of Federalism in Pakistan :-

(1) At the time of establishment of Pakistan, the Government of India Act 1935 was adopted.

(2) After nine years of deliberations and political negotiations, the constituent assembly adopted a new constitution in 1956 which provided for a federal and parliamentary structure. However, it had two major centralizing features making it a failure.

(3) Constitution of 1962 was again a failure as it deleted the word 'federal' from the name of the country.

(4) Over the years, the 1973 constitution was amended by democratically elected and the major amendment was 18<sup>th</sup> amendment which changed the course of federalism in Pakistan.

### Key Features of 18<sup>th</sup> Amendment :-

18<sup>th</sup> amendment was considered as landmark amendment in the history of Pakistan because of its far-reaching consequences. Following are the features of 18<sup>th</sup> amendment.



## (1) Decentralizing Responsibility and Authority :-

A large portion of the 18th amendment dealt with the federal-provincial relations and sought to strengthen the position of provinces in the federation of Pakistan. In addition to the transferring the several functions to provinces, the amended clarified the numerous procedures in a manner to grant provinces greater say in running the affairs of the federation.

## (2) Changes to the Federal Legislative List :-

The notable changes were the made in the fourth schedule, which had two legislative lists ; the Federal legislative list and the Concurrent legislative list.

## (3) Abolition of the Concurrent List :-

One of the key features that altered the federal structure of Pakistan was the abolition of the Concurrent list and almost all powers to federal were given to provinces.

## (4) Strengthening Provinces vis-a-vis the Federation :-

The provincial role was enhanced in governance through several ways.

### Conclusion :-

18<sup>th</sup> amendment gave authority to provinces and considered as landmark amendment.